

ANALYSIS OF ORIGINAL BILL

Author: Legislative Ethics Comm. Analyst: Roger Lackey Bill Number: AB 2179
Related Bills: None Telephone: 845-3627 Introduced Date: 02-19-98

Attorney: Doug Bramhall Sponsor:

SUBJECT: State Agencies Required To Offer Ethics Training

SUMMARY

This bill would provide that each state agency offer an orientation course on the relevant ethics statutes and regulations that govern the official conduct of state officials. This bill would also require that certain agency members, officers and employees attend the orientation course as specified.

EFFECTIVE DATE

This bill would become effective January 1, 1999.

SPECIFIC FINDINGS

State law places certain training requirements on state employees, such as supervisory training for new supervisors.

Currently, no **state law** requires non-elected state officials or any employees of the state, other than legislative employees, to attend an orientation course on ethics.

This bill would provide that each state agency shall offer at least semi-annually to its "filers" as defined, an orientation course on the relevant ethics statutes and regulations that govern the conduct of state officials.

This bill would require each state agency to maintain as a public record, the attendee's name, job title, and the dates of attendance for each orientation course for a period not less than five years after the course was given.

Also, **this bill** would require that current "filers" who hold a state agency position on January 1, 1999, attend an orientation class no later than December 31, 1999, and at least once during each consecutive two calendar years thereafter.

Persons who become "filers" after January 1, 1999, must attend the orientation

DEPARTMENTS THAT MAY BE AFFECTED:

___ STATE MANDATE

___ GOVERNOR'S APPOINTMENT

Board Position: ___ S ___ O ___ SA ___ OUA ___ N ___ NP ___ NA ___ NAR ___ X ___ PENDING		Agency Secretary Position: ___ S ___ O ___ SA ___ OUA ___ N ___ NP ___ NA ___ NAR DEFER TO _____		GOVERNOR'S OFFICE USE Position Approved ___ Position Disapproved ___ Position Noted ___	
Department Director Gerald H. Goldberg		Date 4/7/98		By: _____ Date _____	

course within six months after becoming a "filer" and at least once during each consecutive two calendar years thereafter.

In addition, **this bill** would provide that attendance at an equivalent ethics orientation course through another state agency or the Legislature within the time period of the bill would meet the requirements.

This bill would provide that state agencies may jointly conduct and filers from more than one state agency may jointly attend, an ethics orientation course.

This bill would require that before conducting each ethics orientation course, state agencies consult with the Fair Political Practices Commission and the Attorney General regarding appropriate course content.

This bill would define "state agency" and "filer" for the purposes of this bill. A "filer" for the purposes of this bill, is defined as each member, officer, or employee of a state agency who satisfies both of the following requirements:

- The person holds any one of the following positions with the agency: an elected office, a position that is exempt from civil service, a career executive assignment, the position of executive director or equivalent, or the position of general counsel or its equivalent.
- The person is required to file a statement of economic interests because of the position he or she holds with the agency.

Implementation Considerations

It is unclear if the training would have to take place in a classroom environment or could be completed in another manner, such as a computer-based training course. The department has been exploring computer based and other innovative training methods in an attempt to handle required training courses more effectively. Also, it is unclear what is meant by "relevant." "Relevant" could be defined in terms of the ethics of each state agency or those ethics common to all state agencies.

Once these issues are resolved, the requirement to offer training and maintain public records would not significantly impact the department's training office.

FISCAL IMPACT

Departmental Costs

Approximately 53 "filers" from the department would be required to attend an orientation course on the relevant ethics statutes and regulations that govern the conduct of state officials. This bill would not significantly impact the department's costs.

Tax Revenue Estimate

This bill would not impact the state's income tax revenue.

BOARD POSITION

Pending.